

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA
FERGUS FALLS DIVISION**

ROBYN SMITH for DEVAN VANBRUNT, a)
Minor, by his mother and natural guardian,)
Plaintiff,) Case No.: 0:11-cv-01771-RHK-LIB
v.)
BLITZ U.S.A., INC., WAL-MART STORES,)
INC., WAL-MART STORES EAST, LP, and)
WAL-MART STORES EAST, INC., and)
KINDERHOOK CAPITAL FUND II, L.P.,)
AND KINDERHOOK INDUSTRIES, L.L.C.)
WAL-MART DEFENDANTS'
RESPONSE TO KINDERHOOK
CAPITAL FUND II, L.P.'S
MOTION FOR EXTENSION
OF TIME

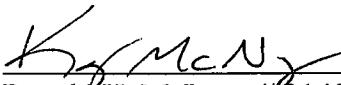
Defendants.

COMES NOW, Defendant Wal-Mart Stores East, LP (incorrectly used as Wal-Mart Stores, Inc.) ("Wal-mart") by and through counsel, submits this response to Defendants Kinderhook Capital Fund II, L.P.'s Motion or Extension of Time.

The Kinderhook Defendants seek additional time to comply with the deadlines set forth in the above-captioned case's October 7, 2011 Pretrial Order. Wal-Mart takes no position on the pending motion and hereby reserves all rights and defenses available to Wal-Mart.

In addition, Wal-Mart desires to inform the Court of its intention to not appear at the May 31, 2012 hearing on the motion.

Dated this 30th day of May, 2012.


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